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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 MICHAEL MARTINEZ,

11 Petitioner,

12 vs.

13 BRIAN WILLIAMS, *et al.*,

14 Respondents.
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Case No. 3:14-cv-00282-HDM-WGC

ORDER

17 This is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a
18 Nevada state prisoner. The petition for writ of habeas corpus submitted in this action is not written
19 on the form required by this Court for petitioners proceeding *pro se*. A *pro se* habeas corpus
20 petitioner is required to use the Court's approved form for filing a petition pursuant to 28 U.S.C. §
21 2254. Local Rules of Special Proceedings 3-1 ("[a] petition for writ of *habeas corpus*, filed by a
22 person who is not represented by an attorney, shall be on the form provided by this court."). The
23 Court will provide petitioner with the approved form for filing a *pro se* habeas corpus petition. The
24 Court will order that the petitioner's proposed habeas corpus be stricken and a copy thereof returned
25 to him. Petitioner shall be allowed an additional period of time within which to file with the Court a
26 proposed habeas corpus petition using the form provided by the Court. If petitioner fails to provide
27 the Court with his petition using the Court approved form, this action will be dismissed and closed.
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1 **IT IS THEREFORE ORDERED** that petitioner's proposed habeas corpus petition (not yet
2 filed and docketed) is hereby **STRICKEN**. The Clerk shall return a copy of the proposed habeas
3 corpus petition to petitioner.

4 **IT IS FURTHER ORDERED** that the Clerk shall send petitioner the form for filing a
5 habeas petition pursuant to 28 U.S.C. § 2254 in this Court, together with instructions for the same.
6 Petitioner shall have **thirty (30) days** from the date of the entry of this order within which to file a
7 revised petition using the court-approved form. If petitioner fails to comply with this directive, this
8 action shall be dismissed and closed.

9 Dated this 15th day of September, 2014.

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11 *Howard D McKibben*

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13 HOWARD D. McKIBBEN
14 UNITED STATES DISTRICT JUDGE
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